

AUGUST 9, 1983

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
DOCKET NO. H83-5145

IN THE MATTER OF AN INQUIRY :
RE: : Administrative Action
JOHN F. MATTEI, D.C. :
 : CONSENT ORDER
 :
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The Board of Medical Examiners has conducted an inquiry into the advertising practices of John F. Mattei, D.C. The particular advertisement under review by the Board was a newspaper advertisement in the Home News which announced, in large bold face type, a \$1,000,000.00 research grant (See Attachment A). The ad claimed that the grant was connected with a headache research project, referring to respondent as a participant, sponsored by the Academy for the Advancement of Chiropractic. (Respondent stated he had formerly been a member but has not paid dues for some time). Respondent informed the sponsors that he was interested in such a project and agreed to participate. He then received a proposed advertisement format from the Academy in which he inserted his name and thereafter sent to a newspaper for publication.

It appears that there is no genuine \$1,000,000.00 grant specifically allocated to this project, and Respondent himself stated that he did not know of any source of money for this project except through participating chiropractors agreeing to absorb \$100.00 worth of treatment on a participating patient. That is, a

a patient participating in the project would not be charged for the first \$100.00 worth of treatments but thereafter would be billed in a regular manner. Data on the patients were to be kept on forms supplied by the Academy and, once completed, sent back to the Academy. Respondent could not explain the meaning of several statements contained in the advertisement he published, and did not seem to understand it. He says he ultimately cancelled the ad because he received telephone calls from other chiropractors and members of the public who, likewise, questioned its meaning.

The advertisement of this headache project grant was misleading and inaccurate, and as such, constitutes violations of N.J.A.C. 13:35-6.13 and N.J.S.A. 45:1-21(b). Respondent is responsible for the offensive advertisement as a licensee who placed it before the public and as the professional who is referred to therein.

For resolution of this matter without resort to litigation, and Respondent having duly consented to the entry hereof in settlement of these matters,

IT IS ON THIS 2nd day of August, 1983

O R D E R E D :

That John F. Mattei, D.C. is hereby formally reprimanded for the above described conduct, and shall cease, desist and refrain from publication of the advertisement attached hereto (See Attachment A) and from further advertising in a misleading, inaccurate or untruthful manner so as to remain consistent with the laws and regulations regarding advertising by chiropractors of this State and it is further

O R D E R E D :

That John F. Mattei, D.C. shall pay to the Board a monetary penalty of \$200.00 for the violations found herein.



EDWIN H. ALBANO, M.D. President
State Board of Medical Examiners

Consent is hereby given
to the form and entry
of this Order.


JOHN F. MATTEI, D.C.

DATED: _____